

Bankruptcy Court for the:

Southern District of Texas
(State)Case number (if known): _____ Chapter 11☐ Check if this is an amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

04/16

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and the case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name ABC Dentistry, P.A.2. All other names debtor used in the last 8 years ABC Dental
Include any assumed names, trade names, and *doing business* as names3. Debtor's federal Employer Identification Number (EIN) 7 6 - 0 5 8 9 4 3 9

4. Debtor's address	Principal place of business	Mailing address, if different from principal place of business
	<u>1500 Southmore Avenue</u>	<u>1500 Southmore Avenue</u>
	Number Street	Number Street
	<u>Pasadena, Texas 77502</u>	<u>Pasadena, Texas 77502</u>
	City State ZIP Code	City State ZIP Code
	<u>Harris</u>	Location of principal assets, if different from principal place of business
	County	<u>Number Street</u>
		City State ZIP Code

5. Debtor's website (URL) http://abcdental texas.com6. Type of debtor
☐ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))
☐ Partnership (excluding LLP)
☒ Other. Specify: Professional Association

Debtor ABC Dentistry, P.A.
Name

Case number (if known) _____

7. Describe debtor's business

A. Check one:

- ☒ Health Care Business (as defined in 11 U.S.C. § 101(27A))
☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
☐ Railroad (as defined in 11 U.S.C. § 101(44))
☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
☐ None of the above

B. Check all that apply:

- ☐ Tax-exempt entity (as described in 26 U.S.C. § 501)
☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. § 80a-3)
☐ Investment advisor (as defined in 15 U.S.C. § 80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor. See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.

6 2 1 2

8. Under which chapter of the Bankruptcy Code is the debtor filing?

Check one:

- ☐ Chapter 7
☐ Chapter 9

☒ Chapter 11. **Check all that apply:**

- ☒ Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,566,050 (amount subject to adjustment on 4/01/19 and every 3 years after that).
☐ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). If the debtor is a small business debtor, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if all of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
☐ A plan is being filed with this petition.
☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the *Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11* (Official Form 201A) with this form.
☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

☐ Chapter 12

9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?

☒ No

☐ Yes. District _____ When _____ Case number _____
MM / DD / YYYY
District _____ When _____ Case number _____
MM / DD / YYYY

If more than 2 cases, attach a separate list.

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?

☐ No

☒ Yes. Debtor See Exhibit 1 Attached Hereto Relationship _____
District _____ When _____
Case number, if known _____
MM / DD / YYYY

List all cases. If more than 1, attach a separate list.

Debtor ABC Dentistry, P.A.
Name

Case number (if known) _____

11. Why is the case filed in *this* district?

Check all that apply:

- ☒ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.
- ☐ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?

- ☒ No
- ☐ Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.

Why does the property need immediate attention? (Check all that apply.)

- ☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.
What is the hazard? _____
- ☐ It needs to be physically secured or protected from the weather.
- ☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).
- ☐ Other _____

Where is the property?

Number _____ Street _____

City _____ State _____ ZIP Code _____

Is the property insured?

- ☐ No
- ☐ Yes. Insurance agency _____
- Contact name _____
- Phone _____

Statistical and administrative information

13. Debtor's estimation of available funds

Check one:

- Funds will be available for distribution to unsecured creditors.
- ☒ After any administrative expenses are paid, no funds will be available for distribution to unsecured creditors.

14. Estimated number of creditors

- | | | |
|--|--|--|
| <input checked="" type="checkbox"/> 1-49 | <input type="checkbox"/> 1,000-5,000 | <input type="checkbox"/> 25,001-50,000 |
| <input type="checkbox"/> 50-99 | <input type="checkbox"/> 5,001-10,000 | <input type="checkbox"/> 50,001-100,000 |
| <input type="checkbox"/> 100-199 | <input type="checkbox"/> 10,001-25,000 | <input type="checkbox"/> More than 100,000 |
| <input type="checkbox"/> 200-999 | | |

15. Estimated assets

- | | | |
|--|--|--|
| <input checked="" type="checkbox"/> \$0-\$50,000 | <input type="checkbox"/> \$1,000,001-\$10 million | <input type="checkbox"/> \$500,000,001-\$1 billion |
| <input type="checkbox"/> \$50,001-\$100,000 | <input type="checkbox"/> \$10,000,001-\$50 million | <input type="checkbox"/> \$1,000,000,001-\$10 billion |
| <input type="checkbox"/> \$100,001-\$500,000 | <input type="checkbox"/> \$50,000,001-\$100 million | <input type="checkbox"/> \$10,000,000,001-\$50 billion |
| <input type="checkbox"/> \$500,001-\$1 million | <input type="checkbox"/> \$100,000,001-\$500 million | <input type="checkbox"/> More than \$50 billion |

ABC Dentistry, P.A.

Debtor

Name

Case number (if known)

16. Estimated liabilities

- | | | |
|--|---|--|
| <input type="checkbox"/> \$0-\$50,000 | <input type="checkbox"/> \$1,000,001-\$10 million | <input type="checkbox"/> \$500,000,001-\$1 billion |
| <input type="checkbox"/> \$50,001-\$100,000 | <input checked="" type="checkbox"/> \$10,000,001-\$50 million | <input type="checkbox"/> \$1,000,000,001-\$10 billion |
| <input type="checkbox"/> \$100,001-\$500,000 | <input type="checkbox"/> \$50,000,001-\$100 million | <input type="checkbox"/> \$10,000,000,001-\$50 billion |
| <input type="checkbox"/> \$500,001-\$1 million | <input type="checkbox"/> \$100,000,001-\$500 million | <input type="checkbox"/> More than \$50 billion |

Request for Relief, Declaration, and Signatures

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

17. Declaration and signature of authorized representative of debtor

- ☐ The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.
- ☐ I have been authorized to file this petition on behalf of the debtor.
- ☐ I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 08/26/2016
MM / DD / YYYY

X /s/ Iraj S. Jabbary, D.D.S.

Signature of authorized representative of debtor

Title Director

Iraj S. Jabbary, D.D.S.

Printed name

18. Signature of attorney

X /s/ Omar J. Alaniz

Signature of attorney for debtor

Date 08/26/2016
MM / DD / YYYY

Omar J. Alaniz

Printed name

Baker Botts L.L.P.

Firm name

2001 Ross Avenue

Number Street

Dallas

City

214/9530-6593

Contact phone

Texas 75201-2980

State

ZIP Code

omar.alaniz@bakerbotts.com

Email address

24040402

Bar number

Texas

State

EXHIBIT 1

Bankruptcy Cases Being Filed by a Business Partner or Affiliate of the Debtor

Debtor: ABC Dentistry, P.A.
Relationship: Affiliate
District: Southern District of Texas, Houston Division
When: August 26, 2016
Case number, if known Unknown

Debtor: ABC Dentistry West Orem, P.L.L.C.
Relationship: Affiliate
District: Southern District of Texas, Houston Division
When: August 26, 2016
Case number, if known Unknown

Debtor: ABC Old Spanish Trail, P.L.L.C.
Relationship: Affiliate
District: Southern District of Texas, Houston Division
When: August 26, 2016
Case number, if known Unknown

ABC DENTISTRY, P.A.

Written Consent of the Sole Shareholder and Director

August 26, 2016

Pursuant to the Texas Business Organizations Code and the Articles of Association of ABC Dentistry, P.A. (the “Company”), the undersigned, being the sole shareholder and director of the Company (the “Sole Shareholder and Director”), hereby consents in writing to the adoption of the following resolutions:

WHEREAS, the Sole Shareholder and Director has reviewed and considered the financial and operational condition of the Company and the Company’s business on the date hereof, including the historical performance of the Company, the assets of the Company, the current and long-term liabilities of the Company, the market for the Company’s products and services, and credit market conditions; and

WHEREAS, the Sole Shareholder and Director has received, reviewed, and considered the recommendations of the Company’s legal, financial, and other advisors as to the relative risks and benefits of pursuing a bankruptcy proceeding under the provisions of Title 11 of the United States Code (the “Bankruptcy Code”).

Commencement of Chapter 11 Case

NOW, THEREFORE, BE IT RESOLVED, that in the good faith business judgment of the Sole Shareholder and Director, it is in the best interest of the Company, its creditors, employees, stakeholders, and other interested parties, that the Company file a voluntary petition for relief under chapter 11 of the Bankruptcy Code, and such filing is hereby authorized and approved in all respects;

BE IT FURTHER RESOLVED, that the officer (the “Officer”) shall be and hereby are authorized, empowered, and directed, in the name and on behalf of the Company to: (i) execute and verify a voluntary petition for relief under chapter 11 of the Bankruptcy Code; and (ii) cause the same to be filed (the “Chapter 11 Case”) in the United States Bankruptcy Court for the Southern District of Texas, Houston Division (the “Bankruptcy Court”), in such form and at such time as such Officer executing the petition shall determine;

BE IT FURTHER RESOLVED, that the Officer shall be and hereby is authorized, empowered, and directed, on behalf of and in the name of the Company, to execute and verify all necessary documents, including, without limitation, a plan of reorganization, disclosure statement, and all petitions, affidavits, schedules, motions, lists, applications, pleadings, and other papers, to employ and retain all assistance by legal counsel or other professionals, and to take any and all actions that he deems necessary and proper in connection with the Chapter 11 Case contemplated hereby, with a view to the successful prosecution of such case;

General Authorization and Ratification

BE IT FURTHER RESOLVED, that all acts lawfully done or actions lawfully taken by the Officer to seek relief on behalf of the Company under chapter 11 of the Bankruptcy Code or

in connection with the Chapter 11 Case or matters related thereto shall be, and hereby are, adopted, ratified, confirmed, and approved in all respects as the acts and deeds of the Company;

BE IT FURTHER RESOLVED, that any and all past actions heretofore taken by the Officer of the Company in the name and on behalf of the Company in furtherance of any or all of the preceding resolutions be, and the same hereby are, ratified, confirmed, and approved; and

BE IT FURTHER RESOLVED, that the Sole Shareholder and Director hereby authorizes and directs the Officer, in the name and on behalf of the Company or otherwise and under the seal of the Company or otherwise, to execute and deliver all such agreements, certificates, documents, instruments, and notices and to take all other actions as such Officer in his or her sole discretion may deem necessary or appropriate in order to carry out and effect the foregoing resolutions, and hereby ratifies and confirms any and all such actions.

The undersigned, being the Sole Shareholder and Director, hereby consent to, approve, and adopt the foregoing as of the date first above written.

* * *

IN WITNESS WHEREOF, the undersigned has executed this Written Consent of the Sole Shareholder and Director to be effective as of the date first above written.

/s/ Iraj S. Jabbary, D.D.S.

Iraj S. Jabbary, D.D.S.